

MATRIX OF TITLE V-RELATED AND AIR GRANT- ELIGIBLE ACTIVITIES

September 23, 1993

Use of the Matrix

The matrix should be read and used in concert with the August 4, 1993, operating permit fee guidance issued by the Office of Air Quality Planning and Standards, particularly the explanatory cover memorandum. That memorandum sets forth principles which will help guide the Agency's review of the Title V fee program submittals. The matrix does not reinterpret the Part 70 rule nor the Title V fee guidance. Rather the matrix reaffirms those program activities outlined by the guidance which are necessary for the development and implementation of a Title V operating permit program and which EPA expects to be covered by Title V fees. Title V operating permit program expenses cannot be eligible grant expenses.

Organization of the Matrix

The matrix consists of two columns of activities-- those which EPA considers necessary for the issuance and implementation of Title V permits (and which EPA expects to be covered by Title V permit fees)-- and those air program activities outside of Title V that would be eligible for federal air grant assistance.

Activities are organized by functional or substantive categories that are common to each of the columns in order to better illustrate the impact of Title V on the overall air program operations. The categories used, however, tend to reflect the functional aspects of Title V (i.e., program development, permit issuance, compliance, etc.). Because some portion of overarching CAA activities like emissions inventory development, monitoring, etc., may be Title V-related, some repetition may occur in the matrix.

The left-hand column of the matrix lists those program activities outlined in the Title V fee guidance which are necessary for the development and implementation of a Title V operating permit program and which EPA expects to be covered by Title V fees. Categories of Title V-related activity include:

- ! Development of the Title V operating permit program
- ! Review and issuance of Title V permits
- ! Implementation of specific CAA requirements applicable to Title V
- ! Compliance/enforcement of Title V-related requirements
- ! Administration of Title V fee program
- ! Title V-related small business technical assistance
- ! Other activity necessary for Title V operations

By contrast, the right-hand column of the matrix lists air program activities which can reasonably be expected to remain eligible for federal air grant assistance. This list, while as comprehensive as possible, should not be viewed as absolute. The categories of activity used for grants-eligible activities include:

- ! Development/revision of permit requirements for non-Title V sources
- ! Permit review and issuance for non-Title V sources
- ! Implementation of specific CAA regulatory requirements
- ! Compliance/enforcement of CAA requirements not related to Title V
- ! Administration of grant and other forms of assistance
- ! CAA technical assistance to small business (outside of Title V)
- ! General and emerging air program activity

For Further Information

Questions on the matrix should be directed to William Houck in the Office of Program Management Operations at 202-260-1754. Specific concerns related to the eligibility of program expenses for Title V fee coverage and to Title V fee demonstrations should be directed to Kirt Cox at 919-541-5399 or Candace Carraway at 919-541-3189 in the Office of Air Quality Planning and Standards.

MATRIX OF TITLE V-RELATED AND AIR GRANT- ELIGIBLE ACTIVITIES

| TITLE V PERMIT FEE ACTIVITIES | AIR GRANT ELIGIBLE ACTIVITIES |
|---|--|
| Title V Permit Program Development | Other Permit Program Development |
| Design/development of operating permit program for Part 70 sources including preparation of initial program submittal; development of implementation agreement with EPA; documentation of resources and legal authority-, training of staff for Title V program implementation; development of necessary regulations, policies, and procedures; development of modifications to program required by new Federal regulations or standards; integration with other Clean Air Act programs (including Title III/IV); development of data systems for tracking Part ;0 sources; development and oversight of local Title V programs; development of model permits. | Development/revision of operating permit programs for other than Part 70 sources. |
| Determinations of program coverage and source applicability including inventory of Part 70 sources; establishment of criteria for deferrals of non-major sources, development of significance levels for exempting required permit information; development of capacity to emit restrictions for avoiding consideration as major source (e.g., creation of synthetic minors); and development/ quality assurance of emissions inventory for potential Part 70 sources for the purpose of determining applicability | Identification of those sources subject to any state permitting requirements other than those in the state's Title V program. |
| Revisions to the SIP to the extent they are necessary for the issuance and implementation of Part 70 permits. | Preparation, adoption and revision of SIPs necessary to implement permitting programs for other than Part 70 sources. |

| TITLE V PERMIT FEE ACTIVITIES | AIR GRANT ELIGIBLE ACTIVITIES |
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| Title V Permit Review/Issuance Activities | Other Permit Review/Issuance Activities |
| <p>Review of permit application for permitting of Part 70 sources * including: completeness review, review of compliance plans, schedules and compliance certifications; development of permit terms and conditions (including operational flexibility); trading and compliance provisions; permit limitations; separation of state-only requirements; establishment of permit-equivalent SIP limitations; optional shield provisions; and actual issuance of the permit. · (For the purposes of this matrix, such sources include: Phase II, Title IV sources; as well as non-major and major sources deferred by EPA but which a state opts to include in Title V).</p> | <p>Review of applications and issuance of permits:</p> <ul style="list-style-type: none"> * For non-Part 70 sources; * For deferred sources during the deferral period approved by EPA rulemaking; * Covering state/local-only requirements in Part 70 permits. |
| <p>Activities in support of public, affected State, and EPA review of permits including: notices of issuance, renewal and significant modification and the opportunity to comment; holding of public hearings, as necessary, review of public comments and preparation of responses; documentation of hearing records; and preparation of responses to challenges on permit decisions.</p> | <p>Public participation activities associated with permit issuance, renewal and modification for other than Part 70 sources.</p> |
| <p>Post-permit issuance activity following the issuance of Title V permits- any revisions, modifications, or reopenings necessary (including analysis and processing necessary for reissuance); and renewals of Title V permits.</p> | <p>Post-permit issuance activity for non-Part 70 sources.</p> |
| <p>Development of emission inventory compilation requirements necessary for Title V permit issuance, and any necessary equivalency and case-by-case RACT determinations under Section 110 of the Clean Air Act if conducted as part of the Part 70 permitting process.</p> | <p>Development of emission inventory compilation requirements, and any necessary equivalency' end case-by-case RACT determinations under Section 110 of the Clean Air Act if conducted as part of a construction or non-Title V operating permit process.</p> |

| TITLE V PERMIT FEE ACTIVITIES | AIR GRANT ELIGIBLE ACTIVITIES |
|---|---|
| Implementing Applicable Requirements | Implementing Other Permit or Regulatory Requirements |
| <p style="text-align: center;"><u>Title I</u></p> <p>Implementation and enforcement of permits issued to Part 70 sources pursuant to Title I, Parts C/D, and PSD/NSR sources.</p> <p>Implementation and enforcement of state/local minor new source review (NSR) permit for a Part 70 source that is a minor source review that such a state/local program is approved under section 110(a)(2)(C).</p> <p>Implementation of section 111 NSPS through Part 70 permits.</p> <p style="text-align: center;"><u>Section 112</u></p> <p>Implementation of specific Title I, section 112 requirements through Part 70 permits:</p> <ul style="list-style-type: none"> * NESHAPs [112(d), 112(f)] * 112(h) design and work practice standards <p>Development and implementation of specific section 112 requirements through Part 70 permits:</p> <ul style="list-style-type: none"> * 112(g) modifications for constructed, reconstructed and modified major sources. * 112(I) early reductions occurring within Part 70 sources. * 112(j) equivalent MACT determinations. * 112(1) state/local air toxics activities that take place as part of Part 70 process. * 112(r)(7) risk management plans if plan is developed as part of Part 70 process. | <p style="text-align: center;"><u>Title I</u></p> <p>Development, implementation and enforcement of state/local minor NSR permit programs which are not approved under 110(a)(2)(C).</p> <p>Implementation of section 111 NSPS that are not part of title V/Part 70 process including new residential wood heaters (if not incorporated as part of Part 70 at the option of the state).</p> <p style="text-align: center;"><u>Section 112</u></p> <p>Asbestos NESHAP demolition and renovation activities (if not incorporated as part of the Part 70 program at the option of the state).</p> <p>Development and implementation of specific section 112 requirements affecting minor sources of hazardous air pollutants.</p> <p>112(1) state/local air toxics activities not within the Part 70 process (i.e., urban area toxics programs).</p> <p>112(r)(7) risk management plans or plan elements not developed as part of Part 70 process (i.e., plans are developed prior to permit issuance, plans cover sources deferred from Part 70, etc.).</p> |

| TITLE V PERMIT FEE ACTIVITIES | AIR GRANT ELIGIBLE ACTIVITIES |
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| Implementing Applicable Requirements | Implementing Other Permit or Regulatory Requirements |
| <p style="text-align: center;"><u>Title IV</u></p> <p>Implementation of permits for Phase 11, Title IV sources after Title V approval including:</p> <ul style="list-style-type: none"> * Observe on-site tests of Phase II CEMs including: pre-test meetings; review of protocol records, and data integrity, and verification of monitor performance. * Conduct Phase II CEM certification reviews including monitoring plan and data acquisition system review, and review of certification application. | <p style="text-align: center;"><u>Title IV</u></p> <p>Assist in implementing Phase I Acid Rain program activities including:</p> <ul style="list-style-type: none"> * Development of infrastructure for implementation (including- hiring, training and organizing staff; installation and operation of data management systems; and establishing links to national acid rain data base). * Observe on-site tests of Phase I CEMs including pre-test meetings; review of protocol, records, and data integrity, and verification of monitor performance. * Conduct Phase I CEM certification reviews, including monitoring plan and data acquisition system review, and review of application certification prior to Title V approval. * Initiate Phase I CEM compliance activities for sources missing deadlines. * Participate in NOx permitting process @ Phase I sources. * Review, evaluate and act on Phase I NOx averaging compliance plans. * Assist in Phase I compliance activities through field presence, oversight and support to EPA enforcement actions including NOx. |

| TITLE V PERMIT FEE ACTIVITIES | AIR GRANT ELIGIBLE ACTIVITIES |
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| <p>Compliance/Enforcement of Title V Requirements</p> | <p>Compliance and Enforcement of Other Permit or Regulatory Requirements</p> |
| <p>Compliance and enforcement activities (prior to filing of an administrative or judicial complaint or order) to the extent the activities are related to the enforcement of a Part 70 permit, the obligation to obtain a Part 70 permit, or the Part 70 permitting regulations. This includes:</p> <ul style="list-style-type: none"> * Development/administration of enforcement legislation, regulations, guidance, and policies. * Review and certification of compliance plans and schedules for Part 70 sources. * Conduct and document inspections for determining compliance with Part 70 permit requirements and provisions including the performance of necessary analyses and support activities to verify source compliance with Part 70 permit requirements and provisions (e.g., stack tests conducted/reviewed by permitting authority, review of monitoring reports). * Review and observation of CEM monitoring plan, certification tests, and certification application for Part 70 sources. * Review of monitoring data for determining compliance of Part 70 sources including CEM data and reports. * Making requests to Part 70 source for information before or after violation is identified. * Preparation and issuance of notices, findings, and letters of violation. * Development of cases and referrals up until the filing of an administrative or judicial complaint or order. | <p>Compliance and enforcement activities including</p> <ul style="list-style-type: none"> * Determining compliance of non-Part 70 sources including sources permitted as synthetic minors if the state opts not to include these sources as part of the Part 70 program; * Part 70 sources following filing of administrative or judicial complaint or order; * State/local-only requirements on Part 70 sources. |

| TITLE V PERMIT FEE ACTIVITIES | AIR GRANT ELIGIBLE ACTIVITIES |
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| Administration of Title V Permit Fee Program | Administration of Other Revenue Programs |
| Design and modification, as necessary, of fee structure for part 70 sources. | Development, design, operation, demonstration collection, administration, and accounting of permit and other fees for non-Part 70 sources. |
| Demonstration of fee schedules and projection of revenues from fee collections from Part 70 sources. | Development, design, operation, demonstration, collection, administration, and accounting of other fees, charges and financial mechanisms for overall air program support including meeting requirements for receipt and retention of federal air grant assistance. |
| Collection, administration, and accounting of fees for Part 70 sources including costs of performing self-auditing or audit by independent auditor of fee collections and the adequacy of the fiscal . management of the fee system. | |
| Technical Assistance to Small Business | Technical Assistance to Small Business |
| <p>Costs of the Small Business Assistance Program attributable to Part 70 sources including that portion of costs related to:</p> <ul style="list-style-type: none"> * Clearinghouse on compliance methods and technologies including pollution prevention approaches. * Establishment of CAA/small business ombudsman and the provision of information on source applicability, available assistance, and the rights and obligations of small business stationary sources under the CAA. * Small Business Compliance Advisory Panel. | <p>Costs of the Small Business Assistance Program attributable to Part 70 sources including that portion of costs related to:</p> <ul style="list-style-type: none"> * Clearinghouse on compliance methods and technologies including pollution prevention approaches. * Establishment of CAA/small business ombudsman and the provision of information on source applicability, available assistance, and the rights and obligations of small business stationary sources under the CAA. * Small Business Compliance Advisory Panel. |

| TITLE V PERMIT FEE ACTIVITIES | AIR GRANT ELIGIBLE ACTIVITIES |
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| Other Title V-Related Program Costs | Non-Title V Permit Program Costs |
| <p>General air program activities to the extent such activities are necessary for the issuance and implementation of Part 70 permits. These include:</p> <ul style="list-style-type: none"> * Installation, operation, and maintenance of emissions and ambient monitoring instrumentation required in the Part 70 permit. * Performance of ambient monitoring required in Part 70 permit. * Emission testing on Part 70 sources required as part of the Part 70 permit. * Modeling and other impact analyses required as part of Part 70 permit. * Development of emissions inventories required as part of Part 70 permit (e.g., to verify compliance with Part 70 permit provisions, to develop and maintain permit fee schedule). * Overhead and administrative costs directly related to implementation of EPA approved state/local Title V operating permit program | <p>General and source-specific air program requirements necessary for the issuance and implementation of a state operating permit for other than a Part 70 source including:</p> <ul style="list-style-type: none"> * Installation, operation, and maintenance of emissions and ambient monitoring instrumentation required for non-Part 70 source. * Performance of ambient monitoring required for non-Part 70 source. * Emission testing on non-Part 70 sources. * Modeling and other impact analyses for a non-Part 70 source. * Development of emissions inventory data for non-Part 70 sources or to verify compliance with other than Part 70 permit provisions. * Overhead and administrative costs directly related to the implementation of a non-Title V permitting program. |

| TITLE V PERMIT FEE ACTIVITIES | AIR GRANT ELIGIBLE ACTIVITIES |
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| General Air Program Activity | General Air Program Activity |
| <p>Preparation, planning, development, and adoption of source-specific SIPs necessary for the issuance of a Title V permit and implementation of the permit provisions.</p> | <p>Preparation, planning, development, and adoption of SIPs, including those for attainment and maintenance of NAAQS, enactment of state or local area-wide source regulations, and enactment of mobile or area source controls (excludes source -specific SIPs required as part of Title V program/Part 70 permit such as identification of synthetic minor sources). SIP development includes: the conduct of analyses of control options and demonstration of alternative strategies and regulatory approaches; development and maintenance of emissions inventory for preparing attainment and maintenance strategies and for assessing progress in achieving necessary emissions reductions for attaining NAAQS; and conduct of area or regional modeling to assess and demonstrate options. Also, includes the designation/redesignation of nonattainment areas and other procedural changes related to the attainment and maintenance of NAAQS.</p> |
| <p>Establishment, operation, and maintenance of that portion of a multiple site ambient monitoring network which is necessary for the issuance of a Title V permit or permits (as documented in the I permit issued to the source or group of sources) including any applicable source-specific NAMS, SLAMS or PAMS monitor. This includes the cost of purchasing the monitor; collection, processing, management and review of data collected by the monitor; and quality assurance of the instrumentation.</p> | <p>Establishment, operation, and maintenance of multiple site ambient monitoring networks designed to assess overall levels and trends within the ambient air including the EPA required or approved networks for NAMS, SLAMS, PAMS, urban air toxics, and acid rain assessment networks. This includes the cost of purchasing monitoring equipment; collection, processing, management and review of data collected by the networks; and the quality assurance of the networks and instrumentation (excludes ambient monitoring specifically required by a Title V permit).</p> |
| <p>Planning, establishment, and implementation of programs for the development and training of state/local staff to implement Title V and related Title III and IV requirements.</p> | <p>Planning, establishment, and implementation of programs for the development and training of state/local staff to carry out Clean Air Act requirements and Agency priorities not related to the implementation of the Title V program.</p> |

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| General Air Program Activity | General Air Program Activity |
| | <p data-bbox="816 401 1089 432"><u>Mobile Source Programs</u></p> <p data-bbox="816 468 1398 569">Planning, development, implementation, or oversight of mobile source control program required by Titles I & II of the Clean Air Act including:</p> <ul style="list-style-type: none"> <li data-bbox="816 604 1370 667">* Development of emissions inventories for mobile sources. <li data-bbox="816 709 1398 842">* Planning, development and oversight of basic and enhanced motor vehicle inspection/ maintenance (implementation should be paid by vehicle inspection fees). <li data-bbox="816 884 1398 1016">* Planning, development and oversight of oxygenated and alternative fuels programs for motor vehicles (implementation expected to be paid by non-grant/private sector resources). <li data-bbox="816 1058 1349 1159">* Planning, development and oversight of clean vehicle programs (implementation expected to be paid by non-grant/private sector resources). <li data-bbox="816 1201 1393 1354">* Development and enforcement of Stage I and Stage II vapor recovery/ refueling programs for motor vehicle fuels including tanker truck inspections (installation of controls expected to be paid by non-grant/private sector resources). <li data-bbox="816 1396 1390 1528">* Integration of transportation and air-quality related planning activities including transportation air quality analyses and determinations of transportation conformity. <li data-bbox="816 1570 1349 1692">* Planning, development, and oversight of transportation control measures (implementation expected to be paid by non-grant/private or other public sector resources). |

| TITLE V PERMIT FEE ACTIVITIES | AIR GRANT ELIGIBLE ACTIVITIES |
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| <p>General Air Program Activity</p> | <p>General Air Program Activity</p> <p><u>Environmental Compatibility</u></p> <ul style="list-style-type: none"> * State/local review of assurances by federal entities as to the general conformity of their activities with an approved state implementation plan (40 CFR 93 Subpart A); state/local determination of conformity of their federally assisted actions (40 CFR 51). * Environmental impact renew. * Land use and air quality analyses. |
| <p>Emerging Activities and Programs</p> <p>* Public education and outreach concerning implementation of the Title V program</p> | <p>Emerging Activities and Programs</p> <p>Planning, development, implementation of emerging programs and initiatives required by the Clean Air Act or agency priorities including</p> <ul style="list-style-type: none"> * Public education and outreach concerning the overall provisions of the Clean Air Act and the specific provisions required for implementation of non-Title V provisions. * Planning and implementation of specific geographic or ecosystem approaches (including multi-media support) and studies for addressing specific air pollution problems within defined geographic areas. * Planning and implementation of pollution prevention initiatives and strategies, market-based approaches, risk analysis, not directly related to implementation of a Title V permit to a specific Part 70 source. * Promotion of public/private partnerships for addressing specific air pollution problems. |

| TITLE V PERMIT FEE ACTIVITIES | AIR GRANT ELIGIBLE ACTIVITIES |
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| Emerging Activities and Programs | Emerging Activities and Programs |
| <p>* Future determinations will need to be made about the applicability of this matrix to those Indian Tribes which administer EPA-approved operating permit programs.</p> | <p>* Development and implementation of voluntary programs for reducing air pollution and/or addressing specific risks including indoor air, green programs, and other voluntary energy conservation programs.</p> <p>* Programs for assessing air quality maintenance/air pollution control needs and for the development and implementation of air quality programs on Indian lands.</p> <p>* Programs for improving the transfer and exchange of programmatic and technical information among state and local programs including information on emerging and innovative technologies.</p> <p>* Innovative personnel programs to promote sharing of expertise and knowledge among state, local, and federal agencies.</p> <p>* Development of state programs for control of ozone depleting substances; and for control of carbon dioxide emissions.</p> <p>* Support for regional associations of states and interstate pollution control compacts.</p> <p>* Participation in international studies, programs, and agreements.</p> |